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October 25, 2005

VIA E-MAIL & FIRST CLASS MAIL

Honorable Judge Kent A. Jordan
United States District Court
District of Delaware
844 North King Street
Lock Box 10
Wilmington, DE 19801

RE: John R. Baker, Jr., v. Town of Smyrna, et. al.
C.A. No.: 04-1457

Dear Judge Jordan:

I am pleased to report the parties have reached a settlement in the above matter. We expect to file a Stipulation of Dismissal within the next two weeks.

Respectfully,

/s/ Bruce C. Herron

Bruce C. Herron
Attorney for Defendants

BCH:tad

cc: Magistrate Judge Mary Pat Thyng (via e-mail)
United States District Court Clerk (via first class mail)
Noel E. Primos, Esquire (via fax only)
William D. Fletcher, Jr., Esquire (via fax only)